

Memorandum

MIAMI-DADE
COUNTY

Date: October 7, 2014

Agenda Item No. 8(F)(2)

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing Award of Competitive Contracts

It is recommended that the Board of County Commissioners (Board) approve the award of competitive contracts. The items are described below and in more detail in the accompanying attachments.

Competitive Contract Awards

The items included in this section will award competitive contracts to the recommended vendors for the purchase of goods and services. The total amount requested for the contract awards is \$36,981,000.

Item 1 – Odor Control Chemicals: Awards a contract for the purchase of odor control chemicals for the Public Works and Waste Management and Water and Sewer departments. The amount requested for the six-year term is \$1,331,000.

Item 2 – Tire Retreading Services: Awards a contract for the purchase of tire retreading and repair services for various sized truck and construction equipment for multiple County departments. The amount requested for the initial five-year term is \$17,825,000. If the County chooses to exercise the one, five-year option-to-renew, the cumulative value of the contract will be \$35,650,000.

Scope

The impact of the items is countywide in nature.

Fiscal Impact/Funding Source

The allocations and funding sources, by department, is listed in the attached items.

Track Record/Monitor

There are no known performance/compliance issues with the vendors recommended for award in this package. Each department's contract manager is reflected in the attached items.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract, Section 2-8.1 of the County Code and Implementing Order 3-38.

Due Diligence

Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status and review of performance or compliance issues. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to Contractor responsibility. This information is provided pursuant to R-187-12.

Background

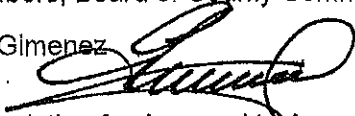
Additional background information on each item is attached.

Attachments

Edward Marquez
Deputy Mayor

Date: May 22, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Recommendation for Approval to Award: Odor Control Chemicals

Recommendation

It is recommended that the Board of County Commissioners (Board) approve award of *Contract No. FB-00006, Odor Control Chemicals* to Total Connection, Inc., as primary vendor, and Ideal Supply, Inc., as secondary vendor for the purchase of odor control chemicals used by the Public Works and Waste Management and Water and Sewer departments. Odor control chemicals are used in conjunction with the County's waste water treatment plants and solid waste facilities.

Scope

The impact of this item is countywide in nature.

Fiscal Impact/Funding Sources

The fiscal impact for the six-year term is \$1,331,000. The current contract, 1067-1/14, is for two years and six months and valued at \$444,750. The recommended contract is proportionately higher due to a \$1.00 increase per gallon of odor control chemicals as well as an increase in the requested quantity. The amount of product required generally is driven by the number of complaints registered by the general public, which are attributed to odors emitted from organic sewage and processed wet and dry sludge.

The proposed allocation is budgeted as follows:

Department	Allocation	Funding Source	Contract Manager
Public Works and Waste Management	\$224,000	Proprietary Funds	Olga Espinosa-Anderson
Water and Sewer	1,107,000	Proprietary Funds	Gregory Hicks
Total	\$1,331,000		

Track Record/Monitor

Herman Ramsey of the Internal Services Department is the Procurement Contracting Officer.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise, at their discretion, contract modifications and extensions in accordance with the terms and conditions of the contract.

Vendor(s) Recommended for Award

An Invitation to Bid was issued under full and open competition on February 13, 2014. The method of award is to the two lowest-priced responsive and responsible bidders as primary and secondary vendors that met the solicitation's qualifications criteria. Four vendors responded to the solicitation. Of the four respondents, two offered "No Bids." Following application of the Small Business Enterprise preference, the original second lowest-priced vendor, Total Connection, Inc., is now the primary recommended awardee.

Awardee	Address	Principal	Award
Total Connection, Inc. (SBE; LDB)	20451 NW 2 Avenue, #120 Miami, FL	Joseph Orukotan, Jr.	Primary Vendor
Ideal Supply, Inc.	4321 NE 12 Terrace Oakland Park, FL	Eduardo R. Finlay	Secondary Vendor

Vendor(s) Not Recommended for Award

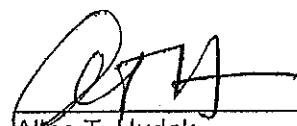
Vendor	Reason for Not Recommending
DadePaper & Bag Co Airgas Specialty Products, Inc.	Vendor offered "No Bid"

Due Diligence

Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors and federal excluded parties. There were no adverse findings relating to contractor responsibility. This information is being provided pursuant to Resolution R-187-12.

Applicable Ordinances and Contract Measures

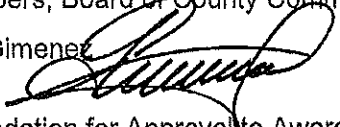
- The two percent User Access Program provision applies and will be collected on all purchases.
- The Small Business Enterprise Bid Preference and Local Preference were applied in accordance with the ordinances.
- The Living Wage Ordinance does not apply.



Anna T. Hudak
Deputy Mayor

Date: June 9, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Recommendation for Approval to Award: Tire Retreading Services

Recommendation

It is recommended that the Board of County Commissioners (Board) approve award of *Contract No. 8889-1/24, Tire Retreading Services* for purchase of tire retreading and repair services for various sized trucks and construction equipment for multiple County departments. Tire retreading services consist of applying layers of rubber to casings owned by the County or on casings supplied by the awarded vendor. The benefits of retreading tires, as opposed to purchasing new tires, is the cost savings as a retreaded tire usually costs 30 to 50 percent less than a comparable new tire. Three groups of services are included in this award, which are described in detail below.

Scope

The impact of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the initial five-year term is \$17,825,000. The allocation is based on future anticipated needs. If the one, five-year option to renew is exercised, the cumulative value of the contract will be \$35,650,000. The current contract, 8889-4/14, is valued at \$11,066,806 for 55 months. The difference in allocation under the replacement contract is based on current expenditures, potentially higher costs due to the different retreading technologies, and the fluctuation of the cost of rubber. The proposed allocation is budgeted as follows:

Department	Allocation	Funding Source	Contract Manager
Internal Services	\$17,500,000	Internal Service Funds	Rey Llerena
Fire Rescue	75,000	Fire District Funds	Marianela Betancourt
Water and Sewer	250,000	Proprietary Funds	Susan Pascual
Total	\$17,825,000		

Track Record/Monitor

Jocelyn R. Fulton of the Internal Services Department is the Procurement Contracting Officer. The contract managers for the user departments are listed in the table above.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise, at their discretion, contract modifications and extensions in accordance with the terms and conditions of the contract.

Vendors Recommended for Award

An Invitation to Bid (ITB) was issued under full and open competition on November 5, 2013. Four bids were received in response to the solicitation. The application of local and locally-headquartered preferences resulted in a Best and Final Offer (BAFO), ultimately impacting the award under Group 2. The method of award per group is as follows:

Group 1: Pre-Qualification for Future Purchase of Tire Retreading Services

This group is an open pool of pre-qualified vendors for future purchase of retreading services. Award is to all responsive, responsible bidders that met the minimum requirements as specified in the ITB for participation in future spot market competitions. Additional qualified vendors may be added to the pool at any time during the contract term, subject to ratification by the Board on a bi-annual basis.

Vendors prequalified through this group may then participate in annual spot market quotations for the nine service types under Group 2 after the expiration of each one-year fixed pricing for Group 2 services has expired, as explained below. Vendors prequalified in this Group may also participate in spot market quotes for related services not covered under Groups 2 or 3.

Group 2: Purchase of Tire Retreading Services

This group consists of multiple types of retreading services, with fixed pricing. Award is to the two responsive and responsible bidders offering the lowest aggregate fixed price for the one-year period as primary and secondary vendors. There are nine service types under this group.

The intent of creating this group is to lock in prices for a one year periods. Each year, the vendors in Group 2 will be selected competitively as primary and secondary vendors from those already prequalified in Group 1. In between each selection of the primary and secondary vendor, additional vendors can be prequalified under Group 1 to increase competition and provide the County with better rates. More specifically, keeping the prequalification pool open allows additional vendors to compete when the County goes out annually to select a primary and secondary vendor for Group 2 services, or during annual spot market competitions for those services without a primary and secondary vendor under Group 2.

A BAFO was conducted between the primary and secondary bidders for Group 2 Services C and H. The BAFO resulted in no change for Service C as the secondary bidder (locally-headquartered firm) did not return the issued BAFO form. For Service H, the BAFO resulted in a change in status as the secondary bidder (locally-headquartered firm) proffered lower prices and the primary bidder failed to return the form.

Group 3: Tire Repair Service

These services consist of three types of tire repairs: 1) nail hole repairs, 2) section repairs, and 3) spot repairs. Award is to the three responsive and responsible bidders offering the lowest aggregate price as primary, secondary, and tertiary vendors.

Awardee	Address	Principal
Earl W. Colvard, Inc. d/b/a Boulevard Tire Center	816 S. Woodland Boulevard DeLand, FL	Earl W. Colvard
Fedan Corp. d/b/a Fedan Tire Co.	2280 W. 1 Avenue Hialeah, FL	Felix Sanchez
Prison Rehabilitative Industries and Diversified Enterprises, Inc. d/b/a PRIDE Enterprises	223 Morrison Road Brandon, FL	Richard Hanas
Dan Callaghan Enterprises, Inc. d/b/a Callaghan Tire	1301 44 th Avenue Bradenton, FL	Dan Callaghan

Awardees by Group

Group 1	Prequalified Vendors
Group 1: Pre-Qualification for Future Purchase of Tire Retreading Services	<ul style="list-style-type: none"> • Earl W. Colvard, Inc. d/b/a Boulevard Tire Center (Pre-qualified for Services A, C, G, H and I) • Fedan Corp. d/b/a Fedan Tire Co. (Pre-qualified for Services A, C, G, H and I) • Prison Rehabilitative Industries and Diversified Enterprises, Inc. dba PRIDE Enterprises (Pre-qualified for Services A and C) • Dan Callaghan Enterprises, Inc. dba Callaghan Tire (Pre-qualified for Services A, C and I)

Group 2	Primary	Secondary
Service A - Recapping of County Supplied Casing with a Pre-cured Top Cap*	Fedan Corp. d/b/a Fedan Tire Co.	Earl W. Colvard, Inc. d/b/a Boulevard Tire Center
Service B - Recapping of County Supplied Casing with a One Piece Seamless Ring Tread Pre-cured Top Cap	<i>No bids received for this Group/Service</i>	
Service C - Recapping of a Vendor Supplied Used Virgin Casing with a Pre-cured Top Cap	Prison Rehabilitative Industries and Diversified Enterprises, Inc. d/b/a PRIDE Enterprises	Fedan Corp. d/b/a Fedan Tire Co.
Service D - Recapping of a Vendor Supplied Used Virgin Casing with a One Piece Seamless Ring Tread Pre-cured Top Cap	<i>No bids received for this Group/Service</i>	
Service E - Recapping of a Vendor Supplied New Virgin Casing with a Pre-cured Top Cap	<i>No bids received for this Group/Service</i>	
Service F - Recapping of a Vendor Supplied New Virgin Casing with a One Piece Seamless Ring Tread Pre-cured Top Cap	<i>No bids received for this Group/Service</i>	
Service G - Recapping of County Supplied Solid Filled Off the Road Bias Ply Casings	Fedan Corp. d/b/a Fedan Tire Co.	Earl W. Colvard, Inc. d/b/a Boulevard Tire Center
Service H - Recapping of Vendor Supplied Bias Ply Casings	Fedan Corp. d/b/a Fedan Tire Co.	Earl W. Colvard, Inc. d/b/a Boulevard Tire Center
Service I - Rim Refurbishment	Earl W. Colvard, Inc. d/b/a Boulevard Tire Center	Dan Callaghan Enterprises, Inc. dba Callaghan Tire

Group 3	Primary	Secondary	Tertiary
Tire Repair Service	Earl W. Colvard, Inc. d/b/a Boulevard Tire Center	Fedan Corp. d/b/a Fedan Tire Co.	Dan Callaghan Enterprises, Inc. dba Callaghan Tire

*Pride Enterprises was deemed non-responsive for Group 2 Service A as the vendor failed to bid on all items as required by the solicitation.

Vendor(s) Not Recommended for Award

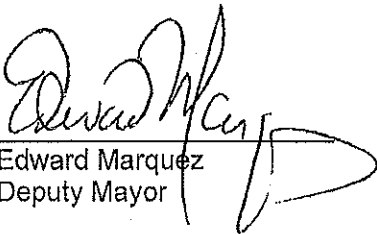
None

Due Diligence

Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility. This information is being provided pursuant to Resolution R-187-12.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies and will be collected on all purchases.
- The Small Business Enterprise Bid Preference will be applied to Group 1 at the time of spot market competition. A set-aside will apply to spot market competitions up to \$100,000 where there are three or more certified Small Business Enterprise firms. Where there are less than three Small Business Enterprise firms, MICRO- Small Business Enterprise firms will receive a 10 percent preference. The Small Business Enterprise Bid Preference was applied to Groups 2 and 3 in accordance with the ordinance.
- Local Preference will be applied in accordance with the Ordinance at the time of spot market competition for Group 1. Local Preference was applied in accordance with the Ordinance for Groups 2 and 3.
- The Living Wage Ordinance does not apply.



Edward Marquez
Deputy Mayor



MIAMI-DADE
County Attorney

Memorandum

To: Rita Silva
Procurement Contracting Manager
Internal Services Department, Procurement Management Division

From: Hugo Benitez
Assistant County Attorney

Date: June 2, 2014

Re: ITB No. 8889-1/24 Tire Retreading Services

You have asked for a responsiveness opinion in connection with the bids of Pride Enterprises ("Pride") and Boulevard Tire Centers in connection with the Invitation to Bid for Tire Retreading Services issued by Miami-Dade County.

Pride's bid is not responsive for Group 2 Service A. Your method of award specified that award would be made to the responsible bidder who offered on all items listed in the service and whose offer represented the lowest price when unit prices are added in the aggregate. Invitation to Bid ("ITB") § 2.4.2. Pride failed to bid on item 3 of Group 2, Service A, in violation of the directives of the ITB. Pride's irregularity further prevents the comparison of Pride's bid to any other in the group and is therefore material. Pride also failed to bid on other items by stating a "NO BID" or simply not furnishing a bid. Pride should not be considered for those other items.

You point to an irregularity in Boulevard's bid in Group 3. Boulevard states a \$0.0 bid for two of the three items. Unlike Pride's bid which simply omits an item, we understand Boulevard's bid to be for \$0.0 with respect to the two items. As a clear and unambiguous offer to perform the services at no cost to the County, we consider Boulevard's bid to be responsive. However, the apparent irregularity calls upon the County to evaluate the bidding methodology used to determine that the estimate, and the decision to aggregate the three prices in the group, does not invite an unbalanced bid by inviting a higher price in the item most likely to be used. Second, contract performance must be carefully monitored to prevent the abuse which would result from a bid unbalance.

Please call me if you have any questions.


Hugo Benitez
Assistant County Attorney

Memorandum



Date: April 4, 2014

To: Hugo Benitez
Assistant County Attorney
County Attorney's Office

From: Rita Silva, CPPO, FCCN *RS*
Procurement Contracting Manager
Internal Services Department, Procurement Management Division

Subject: Request for Responsiveness Determination on ITB No. 8889-1/24: Tire Retreading Services

On February 19, 2014, bids were received for the subject solicitation and subsequently reviewed for responsiveness. Two (2) of the bidders were Prison Rehabilitative Industries & Diversified Enterprises, Inc. dba PRIDE Enterprises (PRIDE) and Earl W. Colvard dba Boulevard Tire Center (Boulevard). The solicitation has three (3) groups. Group 1 is a prequalification pool for future purchase of tire retreading services and is awarded to all qualified bidders. Group 2 is awarded by Service, Sub-group A through I, for the purchase of tire retreading services. Section 2, Paragraph 2.4.2 of the bid indicates award of Group 2 will be made to the two (2) lowest responsive, responsible Bidder(s) who submit an offer on all items listed within the service sub-group. Group 3 is awarded by group for the purchase of tire repair services. Section 2, Paragraph 2.4.3 of the bid indicates award of Group 3 will be made up to three (3) responsive, responsible Bidder(s) who submit an offer on all items listed in the group.

Upon review of PRIDE's bid, it was noted that the bidder did not submit pricing on all items listed in Group 2, Service A of the solicitation. Upon review of Boulevard's bid, it was noted Boulevard did not submit pricing on all items listed in Group 3.

Please advise whether the subject proposals are responsive on the groups/services referenced.

If you have any questions, please contact me at (305) 375-1081. Thank you for your attention to this matter.

R/S:

Attachment

ITB
Referenced Bids

PRIDE is not responsive, as it failed to

bid on one group item within the

group.

Boulevard appears responsive, as it had the
item at \$0.00. Strong project management
is necessary to prevent "unbalancing" above

Hugo

Item 2



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 7, 2014

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☒ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(2)
10-7-14

RESOLUTION NO. _____

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE
CONTRACTS IN A TOTAL AMOUNT UP TO \$36,981,000.00
FOR ODOR CONTROL CHEMICALS AND TIRE
RETREADING SERVICES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board authorizes award of competitively established contracts as set forth in items 1 and 2 of the incorporated memorandum in a total amount up to \$36,981,000.00.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to execute a contract for the item approved herein and exercise contract modifications, any cancellation provisions, and any other rights contained therein in accordance with the terms and conditions of such contract.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez


The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of October, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be 'OR' followed by a long horizontal stroke.

Oren Rosenthal